MEMORANDUM

June 28, 1973

TO:

BOSTON REDEVELOPMENT AUTHORITY

FROM:

Robert T. Kenney, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 7/10

Petition No. Z-2786 Grace Allescia 5 Waldemar Avenue East Boston

Petitioner seeks three variances to erect a one story accessory storage and recreation structure in a single family (S-.5) district. The proposal violates the code as follows:

		Req'd	Proposed
Section 10-1.	An accessory use shall not occupy, than 20% of the required yard.	in the	aggregate, more
Section 15-1.	Floor area ratio is excessive.	0.5	0.6
Section 18-4.	Front yard is insufficient.	30 ft.	4 ft.

The property, located on Waldemar Avenue at the intersection of Walley Street, contains a three story store and five unit apartment structure. Proposed 40 ft. x 30 ft. facility would be erected at the rear of the dwelling and utilized for the storage of garden tools, patio furniture and recreation. Following are recommended as provisos: that the facility be used as accessory to the residential uses only; that no commercial use be allowed; that the open space or structure not be used as a dining area for nearby commercial uses. Recommend approval with provisos.

That in connection with Petition No. Z-2786, brought by Grace Allescia, 5 Waldemar Avenue, East Boston, for three variances to erect a one-story accessory storage and recreation structure in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the facility be used as accessory to the residential uses only; that no commercial use be allowed: that the open space structure not be utilized as a dining area for adjoining commercial uses.



Hearing Date: 7/17/73

Petition No. Z-2792 Russell A. Stewart 1543 Centre Street Roslindale

Petitioner seeks a variance to erect a $2\frac{1}{2}$ story two family dwelling in a residential (R-.5) district. The proposal violates the code as follows:

Req'd Proposed

Section 14-2. Lot area for additional dwelling unit is insufficient.

3000 sf/du 834 sf/du

The property, located on Centre Street between Fletcher Street and Montclair Avenue, contains 5,834 sq. ft. of vacant land. Proposal is consistent with surrounding dwellings and the residential nature of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2792, brought by Russell A. Stewart, 1543 Centre Street, Roslindale, for a variance to erect a two family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with surrounding dwellings and the residential nature of the neighborhood.



Hearing Date: 8/7/73

Petition No. Z-2798 Tufts New England Medical Center 274-284 Tremont Street, Boston

Petitioner seeks a conditional use to erect a sign in a general business (B-8) district. The proposal violates the code as follows:

Section 11-2. A pole sign is not allowed in a B-8 district.

The property, bounded by Tremont, Dillaway and Washington Streets in the South Cove Urban Renewal area, contains a parking garage. The sign would be positioned on the roof of the ticket booth at the Washington Street ramp. The sign would indicate that the ramp is to be utilized for exit only during critical afternoon hours, to enter the facility on Tremont Street and when it is full. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-2798, brought by Tufts New England Medical Center, 274-284 Tremont Street, in the South Cove Urban Renewal area, for a conditional use to erect a pole sign in a general business (B-8) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Hearing Date: Blue Hill Ave. 7/17

Morton St. 7/17

Petitions Nos. Z-2809-2812

Exxon Corporation

1379-1385 Blue Hill Avenue, Mattapan,

841 Morton Street, Dorchester

Petitioner seeks two conditional uses and three variances to replace existing signs and poles in two gas service stations in local business (L-.5) districts. Proposals violate the code as follows:

1379-1385 Blue Hill Avenue

Req'd

Proposed

Section 8-6. A change in a conditional use requires Board of Appeal approval. Section 18-1. Front yard is insufficient. 15 ft. 0

841 Morton Street

Section 8-6. A change in a conditional use requires Board of Appeal approval.

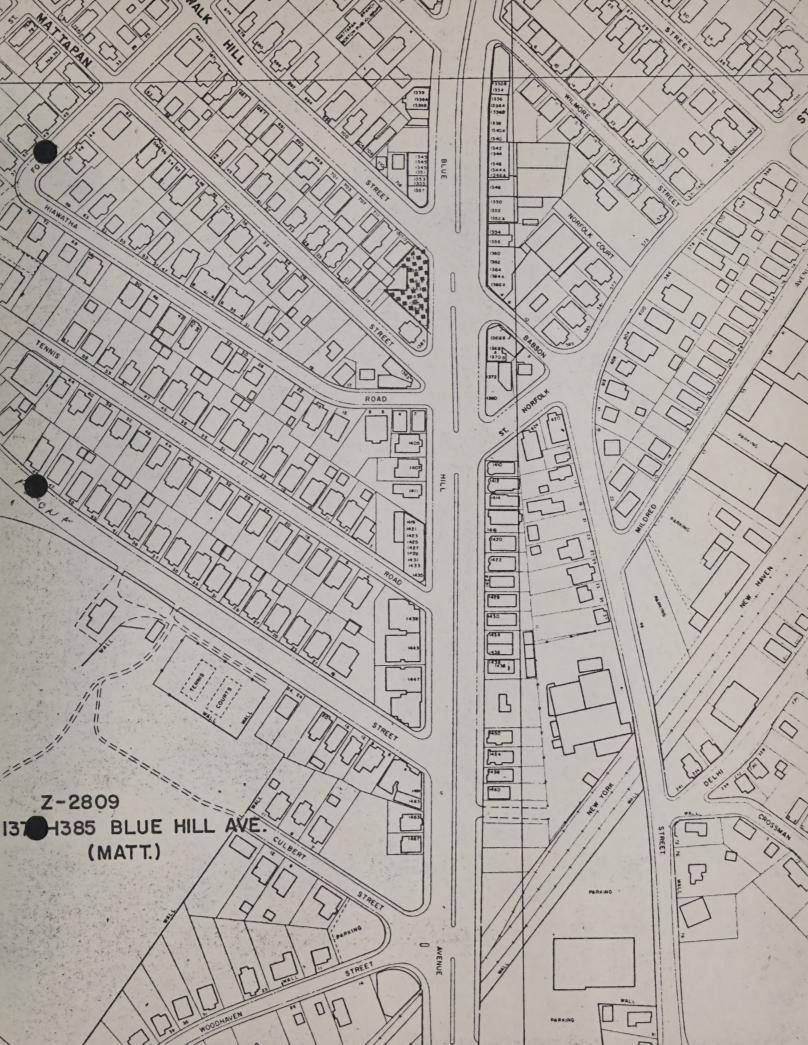
Section 18-4. Front yard is insufficient. 15 ft.

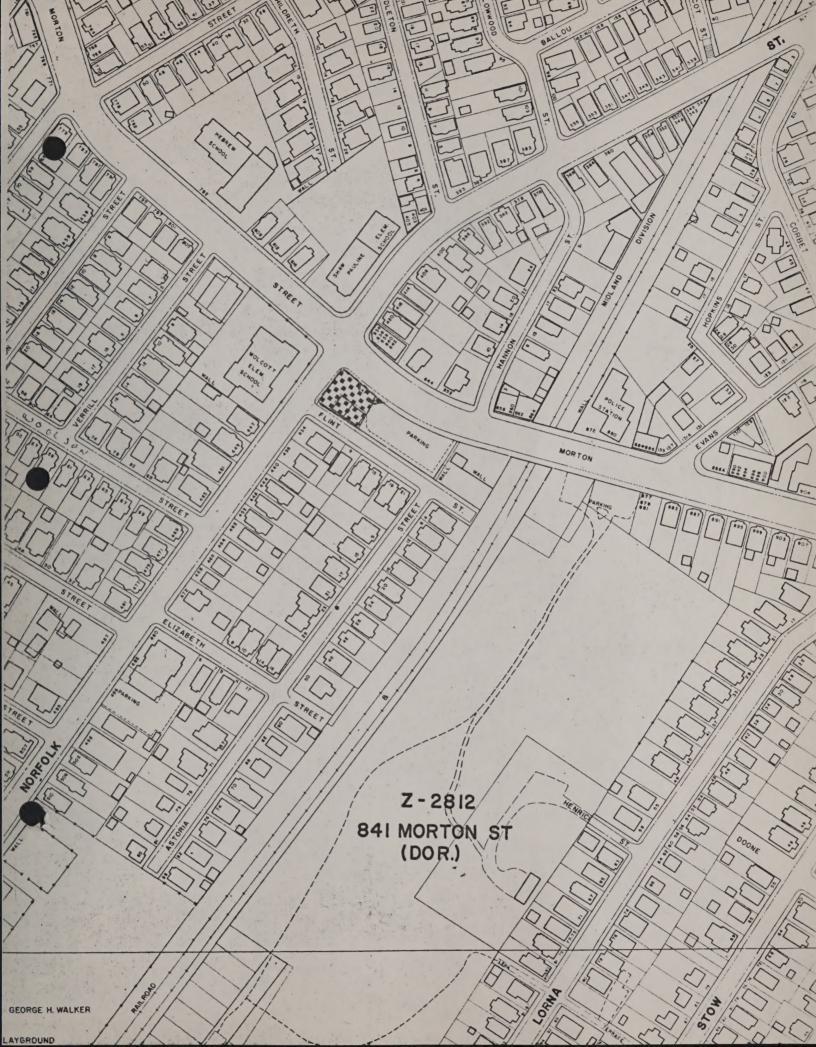
Section 18-3. Corner traffic visibility is

insufficient.

The properties, located on Blue Hill Avenue at the intersection of Walk Hill Street and Morton Street at the intersection of Norfolk Street, contain two gas service stations. Existing "Esso" identification signs would be replaced with new "Exxon" signs. Facilities must comply with Board of Appeal service station guidelines and sign control regulations. Recommend approval with provisos.

VOTED: That in connection with Petitions Nos. Z-2809 & 2812, brought by Exxon Corporation, 1379-1385 Blue Hill Avenue, Mattapan and 841 Morton Street, Dorchester, for two conditional uses and three variances to replace existing signs and poles in two gas service stations in local business (L-.5) districts, the Boston Redevelopment Authority recommends approval with the following conditions: that the facilities comply with the Board of Appeal service station guidelines and sign control regulations.





Hearing Date: 7/17/73

Petition No. Z-2818 Exxon Corporation 1263-1265 Saratoga Street East Boston

Petitioner seeks a variance to replace an existing sign and pole in a gas service station in a light manufacturing (M-1) district. The proposal violates the code as follows:

Section 18-1. Front yard is insufficient. 20 ft. 0

The property, located on Saratoga Street near the Winthrop line, contains a gas service station. It is proposed to erect a new "Exxon" identification sign and pole. Proposal must comply with Board of Appeal service station guidelines and sign control regulations. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2818, brought by Exxon Corporation, 1263-1265 Saratoga Street, East Boston, for a variance to replace an existing sign and pole in a gas service station in a light manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval provided that the facility complies with Board of Appeal service station guidelines and sign control regulations.



Hearing Date: 7/24/73

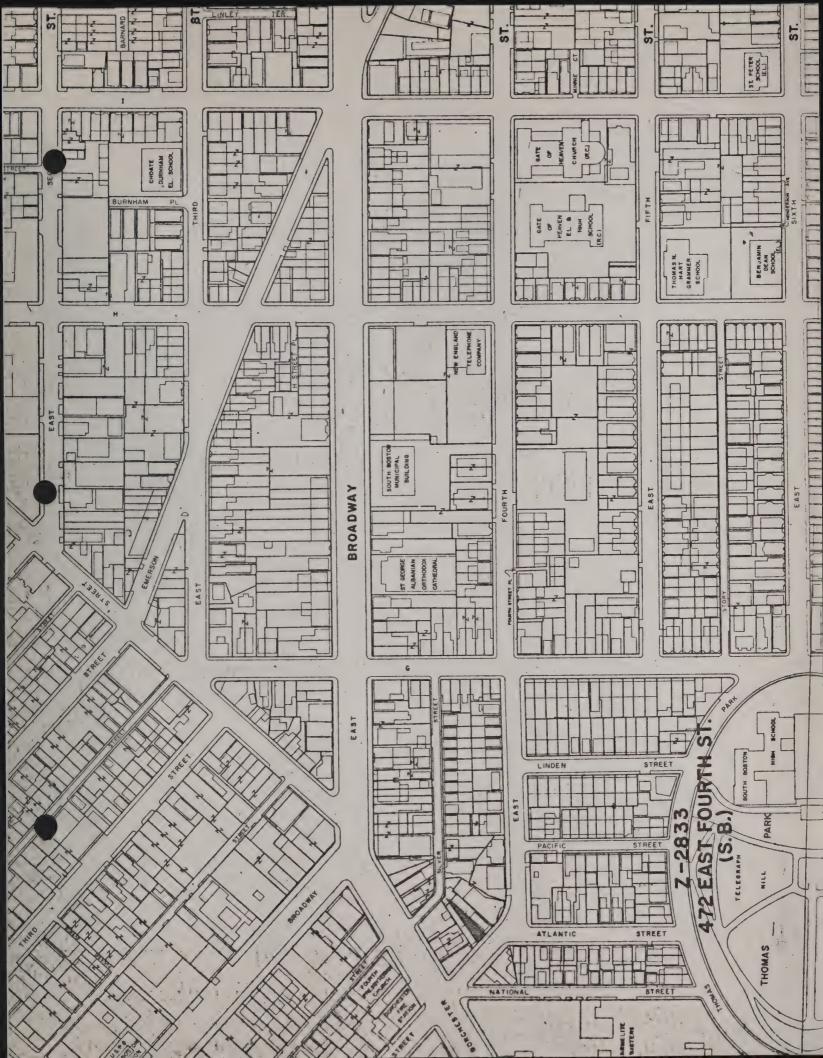
Petition No. Z-2833 Walter T. Kirley, Jr. 472 East Fourth Street South Boston

Petitioner seeks a forbidden use and three variances for a change of occupancy from one to four apartments in an apartment (H-1) district. The proposal violates the code as follows:

		Req'd	Proposed	
Section 8-7.	A dwelling converted for more families which does not meet the requirements of lot area, open space and off street parking is forbidden in an H-1 district.			
Section 14-2.	Lot area for additional dwelling			
•	unit is insufficient.	1000 sf	0	
Section 17-1.	Open space is insufficient.	400 sf/du	199 sf/du	
Section 23-1.	Off street parking is in-			
	sufficient.	3 spaces	0	

The property, located on East Fourth Street near the intersection of East Broadway, contains a four story masonry structure. The proposed change is contrary to current mayoral policy opposing residential occupancy conversions in the South Boston - Dorchester area. Recommend denial.

VOTED: That in connection with Petition No. Z-2833, brought by Walter T. Kirley, Jr., 472 East Fourth Street, South Boston, for a forbidden use and three variances for a change of occupancy from one to four apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The proposed change is contrary to current mayoral policy opposing residential occupancy conversions in the South Boston - Dorchester area.



Hearing Date: 7/10/73

Petition No. Z-2839 Lombardo Realty Trust McDonalds Corporation (Lessee) 178 Border Street East Boston

Petitioner seeks two conditional uses and a variance to erect a one story restaurant (McDonalds), an outdoor freezer and a trash storage structure in a waterfront (W-2) district. The proposal violates the code as follows:

Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take out is conditional in a W-2 district.

Section 8-7. Outdoor storage of trash is conditional in a W-2 district. Section 11-2. Area and height of free standing sign is excessive.

The property, located on Border Street at Central Square, contains approximately 8,000 square feet of land. Proposal, which would include take-out accommodations and a dining room seating 114 persons, would be inappropriate at this site and further intensify the acute traffic and parking problems existing in Central Square. Fast food franchises do not lend to the stability of an area. Recommend denial.

VOTED: That in connection with Petition No. Z-2839, brought by Lombardo Realty Trust, McDonalds Corporation (Lessee), 178 Border Street, East Boston, for two conditional uses and a variance to erect a one story restaurant, outdoor freezer and a trash storage structure in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial. The proposed facility would be inappropriate at this site and further intensify the acute traffic and parking problems existing in Central Square. Fast food franchises do not lend to the stability of an area.



Hearing Date: 7/24/73

Petition No. Z-2843 John & Alice Gulinello 25 Sagamore Street, Dorchester

Petitioner seeks two variances to erect a one story addition to a two family dwelling in a residential (R-.8) district. The proposal violates the code as follows:

		Req'd	Proposed
	Side yard is insufficient.	10 ft.	3 ft.
Section 20-1.	Rear yard is insufficient.	40 ft.	11 ft.

Property, located on Sagamore Street near the intersection of Elton Street, contains a $2\frac{1}{2}$ story frame dwelling. Petitioner proposes to erect a 13 x 14 foot rear addition which would be utilized as a bedroom. There would be no significant affect on surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2843, brought by John and Alice Gulinello, 25 Sagamore Street, Dorchester, for two variances to erect a two story addition to a two family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Proposed bedroom extension would not have a significant affect on surrounding properties.



Hearing Date: 6/26/73

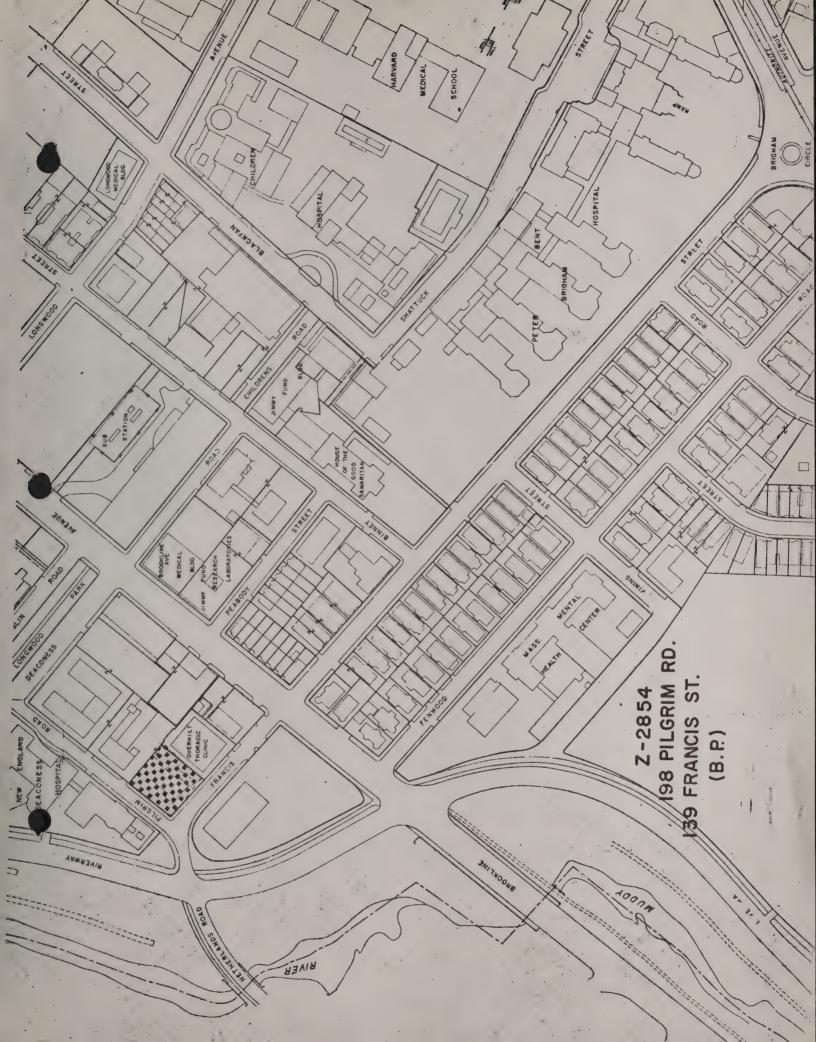
Petition No. Z-2854 New England Deaconess Hospital 198 Pilgrim Road and 139 Francis Street Boston

Petitioner seeks five variances to erect a five-story hospital structure in an apartment (H-2) district. The proposal violates the code as follows:

		Req'd	Proposed
Section 15-1. Section 18-1. Section 20-1. Section 21-1.	Floor area ratio is excessive. Front yard is not provided. Rear yard is insufficient. Setback of parapet is insufficient.	2.0 20 ft. 16 ft. 26 ft. 36 ft. 36 ft.	2.4 0 0 2 ft. 0 13 ft.
Section 23-8.	Off street parking not provided on lot.	69 spaces	0

The property, located at the intersection of Pilgrim Road and Francis Street in the Fenway Urban Renewal area, contains a two story structure which would be demolished. The proposed structure would accommodate a clinical laboratory and radiation therapy center in accord with a Certificate of Need issued by the Public Health Council. Floor area ratio violation is minimal; off street parking is provided within walking distance. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-2854, brought by New England Deaconess Hospital, 198 Pilgrim Road and 139 Francis Street in the Fenway Urban Renewal area, for five variances to erect a five story clinical laboratory and radiation therapy center in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Floor area ratio violation is minimal; off street parking is provided within walking distance.



Hearing Date: 6/26/73

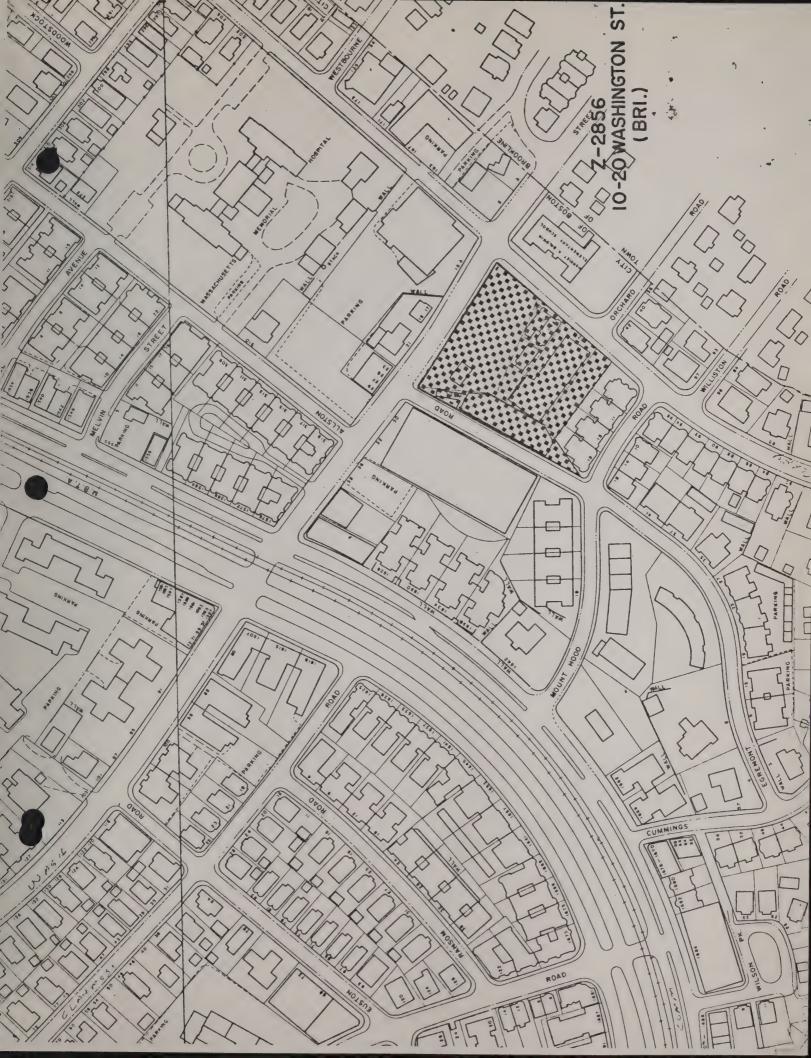
Petition No. Z-2856 Thomas Murphy 10-20 Washington Street Brighton

Petitioner seeks a forbidden use and seven variances to combine lots and erect a 15 story, 368 unit apartment dwelling for the elderly with 30,000 sq. ft. of retail stores in an apartment (H-1) and local business (L-1) district. The proposal violates the code as follows:

		Req'd	Proposed
Section 8-7. Section 14-2.	Retail stores are forbidden in an E Lot area for additional dwelling	H-1 district.	,
	unit is insufficient.	1000 sf/du	211 sf/du
Section 15-1.	Floor area ratio is excessive.	.1	4
Section 16-1.	Height of building is excessive.	3 stories 35 ft.	15 stories 135 ft.
Section 17-1.	Open space is insufficient.	4000 sf/du	144 sf/du
Section 18-4.	Front yard is insufficient.	20 ft.	10 ft.
Section 20-1.	Rear yard is insufficient.	17 ft.	15 ft.
Section 23-7.	Off street parking is in-		
	sufficient.	93 spaces	70 spaces

The property, bounded by Washington Street, Corey Road and Egremont Road, contains two, three story apartment structures, a vacant one story masonry structure and a gas service station, all of which will be demolished. proposed "Turnkey" development is considered by BRA staff to be excessive in density and height in relation to the site and to have an undesirable impact on the surrounding neighborhood of three to seven story apartment buildings with an average FAR of 1. The 30,000 sq. ft. of commercial space is considered excessive and should be reduced to serve essentially the needs of the tenants. Furthermore, BHA's past experience with elderly projects indicates the desirability of limiting the total number of elderly units for social integration reasons. The largest BHA elderly project to date is 234 units with the average project being half the number. The local project area committee and Corey Road Neighborhood Group have opposed the project as being excessively dense for the location. Recommend approval subject to design review and a substantial reduction in FAR density, number of units and commercial space.

That in connection with Petition No. Z-2856, brought by Thomas Murphy, 10-20 Washington Street, Brighton, for a forbidden use and seven variances to combine lots and erect a 15 story, 368 unit apartment dwelling for the elderly with 30,000 square feet of retail stores in an apartment (H-1) and local business (L-1) district, the Boston Redevelopment Authority recommends approval provided that plans are submitted to the Authority for design review and that a substantial reduction be made in density, number of units and commercial space.



Hearing Date: 7/10/73

Petitions Nos. Z-2859-2860
Roman Catholic Archbishop of Boston
Massachusetts Society for the Prevention
of Cruelty to Animals
350 South Huntington Avenue & 29 Perkins
Street, Jamaica Plain

Petitioner seeks three forbidden uses for a change of occupancy from a seminary and study to animal hospital and offices; for a change of occupancy from a convent to offices and staff dwelling; to erect two additions in a residential (R-.5) district. The proposal violates the code as follows:

350 South Huntington Avenue

Section 8-7. Offices are forbidden in an R-.5 district.

Section 8-7. An animal hospital and accessory staff dwelling is forbidden in an R-.5 district.

29 Perkins Street

Section 8-7. Offices are forbidden in an R-.5 district.

The property, bounded by South Huntington Avenue, Bynner, Day and Perkins Street, contains a seminary complex on 8.5 acres of land. Existing seminary would be remodeled for an animal hospital, offices, educational and law enforcement use by the Society; new additions would include surgery radiology facilities, wards, laboratory and clinic; convent building would be utilized for offices, education and law enforcement and dwelling for Society staff members. Staff recommends that use of the open area along Day Street be continued by the Little League team from the Hyde Square locale and that plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petitions Nos. Z-2859-2860, brought by Roman Catholic Archbishop of Boston and Massachusetts Society for the Prevention of Cruelty to Animals, 350 South Huntington Avenue and 29 Perkins Street, Jamaica Plain, for a change of occupancy from a seminary and study to animal hospital and offices; for a change of occupancy from a convent to offices and staff dwelling; to erect two additions in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided that use of the open area along Day Street be continued by the Little League team from the Hyde Park locale and that plans be submitted to the Authority for design review.



Hearing Date: 8/7/73

Petition No. Z-2861 St. Margaret's Hospital 114 Sawyer Avenue, Dorchester

Petitioner seeks a forbidden use and a variance for a change of occupancy from a three family dwelling to offices in a residential (R-.8) district. The proposal violates the code as follows:

Req'd Proposed

Section 8-7. An office building is forbidden in an R-.8 district. Section 23-4. Off street parking not provided. 4 spaces 0

The property, located on Sawyer Avenue at the intersection of Cushing Avenue directly opposite the hospital, contains a three story frame structure formerly utilized by the hospital as an outpatient clinic. The office use is apparently existing. A new hospital parking garage will mitigate the off-street parking deficiency. The staff has been advised that the community has no objection to the proposal. Recommend approval.

VOTED: That in connection with Petition No. Z-2861, brought by St. Margaret's Hospital, 114 Sawyer Avenue, Dorchester, for a forbidden use and a variance for a change of occupancy from a three family dwelling to offices in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The parking deficiency will be mitigated by a new hospital garage. The community has no objection to the proposal.



Hearing Date: 7/10/73

Petition No. Z-2863 Stephen G. Traynor 41-43 Westland Avenue Boston

Petitioner seeks a conditional use for a change of occupancy from a garage to a garage and car wash in a general business (B-2) district. The proposal violates the code as follows:

Section 8-7. A car wash is conditional in a B-2 district.

The property, located on Westland Avenue near the intersection of Massachusetts Avenue, contains a six story masonry structure. The garage has existed at the site for over 50 years. Proposed car wash will be located on the first floor. It is recommended that the facility not exceed 32 feet in length and located at the Burbank Street end of the building, and that sign plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2863, brought by Stephen G. Traynor, 41-43 Westland Avenue, in the Fenway Urban Renewal area, for a conditional use for a change of occupancy from a garage to a garage and car wash in a general business (B-2) district, the Boston Redevelopment Authority recommends approval provided that the proposed facility not exceed 32 feet in length and located at the Burbank Street end of the building, and that sign plans be submitted to the Authority for design review.



Hearing Date: 8/7/73

Petition No. Z-2864
Rosemarie Memmolo and
Julia Falzarano
188 North Street and 139-145 Richmond Street
Boston

Petitioner seeks two variances for a change of occupancy from manufacturing, stores and launderette to 20 apartments, stores, shops and restaurant in a local business (L-2) district. The proposal violates the code as follows:

	<u>Keq a</u>	Proposed
Open space is insufficient. Off street parking is in-	100 sf/du	0
sufficient.	3 spaces	0

The property, located at the intersection of Richmond and North Streets, contains a six story masonry structure. Essentially, the proposal would convert approximately 17,000 square feet of manufacturing space to 20 residential units. Stores and shops presently exist at the street level and a restaurant on the second floor. The conversion would be consistent with the character of the neighborhood. Staff recommends that the petitioner make arrangements to provide adequate parking at a nearby facility. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2864, brought by Rosemarie Memmolo and Julia Falzarano, 188 North Street and 139-145 Richmond Street, Boston, for two variances for a change of occupancy from manufacturing, stores and launderette to 20 apartments, stores, shops and restaurant in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with the condition that the petitioner make arrangements to provide adequate parking at a nearby facility.



Hearing Date: 7/17/73

Petition No. Z-2866 John R. Schiffmann 277 Neponset Valley Parkway Hyde Park

Petitioner seeks a change in a non-conforming use and a forbidden use for a change of occupancy from one family and dentist's office to one family and real estate-insurance office in a single family (S-.5) district. The proposal violates the code as follows:

Section 8-7. A real estate-insurance office is forbidden in an S-.5 district.

Section 9-2. A change in a non-conforming use requires Board of Appeal approval.

The property, located on Neponset Valley Parkway at the intersection of Meadow Road near the Milton line, contains a one story "ranch" structure. The intrusion of the proposed commercial use with its attendant activity would have a serious impact on this single family neighborhood. The use would generate traffic incompatible with the area. Off street parking facilities are not provided. Recommend denial.

VOTED: That in connection with Petition No. Z-2866, brought by John R. Schiffmann, 277 Neponset Valley Parkway, Hyde Park, for a change in a non-conforming use and a forbidden use for a change of occupancy from one family and dentist's office to one family and real estate-insurance office in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. The intrusion of the proposed commercial use with its attendant activity would have a serious impact on this single family neighborhood. The use would generate traffic incompatible with the area. Off street parking facilities are not provided.



Hearing Date: 7/17/73

Petition No. Z-2867 John McMahon 386 Market Street, Brighton

Petitioner seeks a variance to extend the area of a restaurant in a local business (L-.5) district. The proposal violates the code as follows:

Reg'd Proposed

Section 23-4. Off street parking is insufficient. 7 spaces

0

The property, located at the intersection of Market and Henshaw Streets, contains a one-story masonry structure. In May, petitioner was issued a permit to combine the existing restaurant structure with part of a vacant former repair garage structure for occupancy as a restaurant - lounge. It is now proposed to utilize the remaining space. There are no provisions for off street parking. Traffic conditions in the Market Street area are critical and should not be intensified. Proposal does not comply with conditions required for a variance. Recommend denial.

VOTED: That in connection with Petition No. Z-2867, brought by John McMahon, 386 Market Street, Brighton, for a variance to extend the area of a restaurant in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. There are no provisions for off street parking. Traffic conditions in the Market Street area are critical and should not be intensified. Proposal does not comply with conditions required for a variance.



Hearing Date: 7/24/73

Petitions Nos. Z-2868-2870
Boston Redevelopment Authority
Concord Square Trust, George M. Dallas,
Trustee (Designated Developer)
151-153-155 Worcester Street
Boston

Petitioner seeks a conditional use and two variances to combine buildings, change occupancy from lodging house and seven apartments to 17 apartments and utilize vacant land for tenant recreational area in an apartment (H-3) district and local business (L-2) district. The proposal violates the code as follows:

151 Worcester Street (H-3)

Req'd Proposed

Section 8-7. An ancillary use is conditional in an H-3 district.

153 & 155 Worcester Street (L-2)

Section 15-1. Floor area ratio is excessive.

2.0

2.3

The properties, located on Worcester Street near the intersection of Columbus Avenue in the South End Urban Renewal area, contain two four-story masonry structures which would be rehabilitated for low and moderate income occupancy. Petitioner has mortgage commitment with MHFA. Floor area ratio violation is existing and minimal. Proposal is in accord with the urban renewal plan. Recommend approval with design review proviso.

VOTED: That in connection with Petitions Nos. Z-2868-2870, brought by Boston Redevelopment Authority and Concord Square Trust, 151-153-155 Worcester Street in the South End Urban Renewal area, for a conditional use and two variances to combine buildings, change occupancy from lodging house and seven apartments to 17 apartments and utilize vacant land for tenant recreational area in an apartment (H-3) and local business (L-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Floor area ratio violation is existing and minimal. Proposal is in accord with the urban renewal plan.



Hearing Date: 7/10/73

Petition No. Z-2874 Northeastern University 330 Huntington Avenue Boston

Petitioner seeks a conditional use to erect a four story addition to a university structure in an apartment (H-3) district. The proposal violates the code as follows:

Section 8-6. A change in structure of a pre-existing conditional use requires Board of Appeal approval.

The property, located on Huntington Avenue between Greenleaf and Gainsborough Streets, contains a university complex. Expansion would be utilized for teaching and research facilities in the Life Science building. Proposal conforms with conditional use requirements. Recommend approval.

VOTED: That in connection with Petition No. Z-2874, brought by Northeastern University, 330 Huntington Avenue, Boston, for a four story addition to a university structure in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. Proposal conforms with conditional use requirements.

